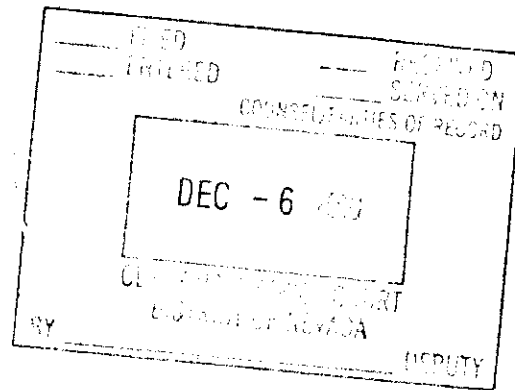


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9 Attorneys for Plaintiffs



10 UNITED STATES DISTRICT COURT
11 DISTRICT OF NEVADA

12 ***

13 LAURA A. CARLSON, as administrator
14 of the Estate of ALAN FISHER,
15 Deceased, RONNI FISHER and JULIA
16 FISHER,

17 Plaintiffs,

18 vs.

19 JAMES BENEDETTI, et al,

20 Defendants.

21 and related Third Party Claim.

CASE NO.: CV-10-00018-ECR-VPC

**MOTION TO EXCUSE
PRESENCE OF JULIA FISHER
AT SETTLEMENT CONFERENCE**

22 Plaintiffs, by and through Counsel, Ian E. Silverberg, Esq., do hereby request that the
23 presence of Plaintiff JULIA FISHER be excused at the upcoming settlement conference. This
24 Motion is made and based upon the following Points and Authorities:

25 Dated this 3rd day of December, 2010.

26 ls
Ian E. Silverberg, Esq. (#5501)
27 Attorney for Plaintiffs
28

1 **POINTS AND AUTHORITIES**

2 Counsel is respectfully requesting that Plaintiff JULIA FISHER be excused from the
3 settlement conference. This Plaintiff is the mother of the Deceased, Alan Fisher. She is of
4 advanced years and suffers from advanced Alzheimer's disease. At her deposition she was unable
5 to really provide any meaningful information, and it was unclear how much she could even
6 comprehend.

7 Further, counsel for the Plaintiff has discussed this matter with counsel for the Defendant,
8 and they have expressed no opposition to this request.

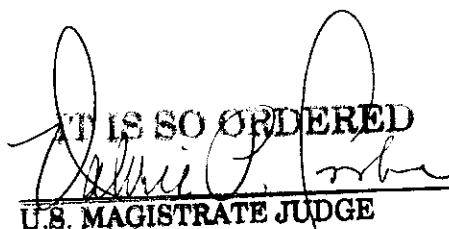
9 Finally, Plaintiff RONNI FISHER has full authority to settle this case on behalf of herself
10 and her mother, Plaintiff JULIA FISHER.

11 Based upon the foregoing, it is respectfully requested that the Court grant this motion and
12 excuse the presence of Plaintiff JULIA FISHER.

13 Dated this 3rd day of December, 2010.

14
15 ls/
Ian E. Silverberg, Esq. (#5501)

16 Attorney for Plaintiffs

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18
19 **IT IS SO ORDERED**
20 
21 **U.S. MAGISTRATE JUDGE**
22 **DATED: December 4, 2010**
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CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I hereby certify that I am an employee of Ian E. Silverberg, Esq., and that on this day I caused to be delivered by U.S. Mail, postage pre-paid, a true and correct copy of the forgoing MOTION to the individual(s) listed below at the last know address:

Matthew Venable #89529
High Deseert State Prison
P.O. Box 650
Indian Springs, NV 89070

and

William J. Geddes
Senior Deputy Attorney General
100 N. Carson St.
Carson City, NV 89701-4717

Dated this 3rd day of December, 2010.

ls/
Ian Silverberg